



**Massachusetts Department of Environmental Protection**  
**Environmental Results Program**  
**Compliance Certification Instructions**  
**for Boilers**

## **1. What is the ERP Compliance Certification?**

Owners or operators of new boilers with a heat input rating between 10 million and 40 million Btu per hour installed after September 14, 2001 are required to certify to the Department of Environmental Protection (MassDEP) that they are complying with the environmental protection requirements that apply to their new boiler(s).

MassDEP strongly advises you to review this material well in advance of the submittal deadline. While many owners and operators have all of the equipment they need to comply with environmental standards and are operating their facilities in compliance with the requirements, *some businesses may need to take additional steps to comply.*

The certification package has two parts:

1. **Compliance Certification:** This form has several sections: *Facility Information* that identifies the facility and a contact person, *Facility Emissions* information identifies how the boiler may impact facility-wide emissions/caps, *Boiler Information* identifies the specific boiler and its date of installation, *Compliance Information/Certification*, which are a series of ERP-Boiler requirements to which you, as the Responsible Party, must certify compliance, and a *Certification Statement* to be signed by the facility owner or certain other specified senior managers.
2. **ERP Boiler Compliance Workbook:** The workbook contains the regulatory information you need to complete the Compliance Certification form and certify compliance with the applicable requirements.

## **2. Do I have to certify?**

While the program applies to almost all new boilers with a heat input rating between 10 million and 40 million Btu per hour, three conditions exempt your facility from the requirement of ERP boiler *Compliance Certification*. 1) Temporary boilers must meet the conditions in 310 CMR 7.03(23). The owner/operator must submit a plan application under the permitting regulations, 310 CMR 7.02 for: 2) A wood fuel-fired boiler; or 3) A facility that is subject to the Operating Permit and Compliance Program, 310 CMR 7.00 Appendix C; 3).

## **3. How do I submit a Compliance Certification?**

If ERP applies to your facility, you are required to complete an *ERP Compliance Certification form* for each new boiler and mail it to MassDEP. For boilers installed before December 28, 2007, you must submit the compliance certification within 60 days of initial operation. For boilers installed on or after December 28, 2007, the compliance certification is due prior to the installation and operation of the subject boiler. The



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*certification form* and the accompanying guidance materials have been designed to enable you to fill out the *ERP Certifications*.

Certifications should be mailed to the following address:

MADEP - ERP - Boiler  
P.O. Box 120-165  
Boston, MA 02112-0165

#### **4. How do I fill out the Compliance Certification?**

1. Read the workbook to understand the environmental protection requirements that apply to your facility.
2. Answer all of the questions on the enclosed form. Refer to *Section 7* below, *Step-by-Step Instructions for Filling Out the ERP Compliance Certification* on page 3.
3. When you have answered all of the questions, sign the *Certification Statement*.
4. Make a copy of the complete package for your records.
5. Mail the *original* package to the above address.

#### **5. What does the Compliance Certification not currently cover?**

Your facility may be subject to additional state, federal or local environmental standards that are not covered by the *ERP-Boiler Compliance Certification* (e.g., other processes that emit VOC). You still must comply with these requirements, even though they are not included on the Certification. Additional state requirements that may apply to your facility include air pollution control (source registration, permits), industrial wastewater, or hazardous waste management requirements for activities other than boiler operation or other regulatory programs including: reporting and planning under the Toxics Use Reduction Act<sup>1</sup>, water supply cross connections<sup>2</sup>, ground water withdrawal permits<sup>3</sup>, wetlands and waterways protection requirements<sup>4</sup>, and hazardous waste site clean up requirements<sup>5</sup>. If you think any of these programs might

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<sup>1</sup> You may be subject to the Toxics Use Reduction Act if you use more than 10,000 pounds per year of a toxic chemical listed on the Federal CERCLA or EPCRA chemical lists. Chemical MSDSs state whether a chemical is on one of these lists.

<sup>2</sup> You may be subject to water supply cross connection regulations if you are required to have a backflow prevention device which prevents wastewater from being pulled back into your water supply lines.

<sup>3</sup> You may be subject to groundwater withdrawal regulations if you take your process water from an onsite, private well.

<sup>4</sup> You may be subject to wetlands and waterways regulations if you are doing construction in or near a wetland or in a tideland, or if you have a Tidelands License under Chapter 91.

<sup>5</sup> You may be subject to hazardous waste site clean up requirements if there has been a spill or release of a hazardous waste or chemical on your property, or if you are undertaking a remedial action to clean up hazardous wastes.



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apply to your business, you can get more information on applicability and compliance requirements from MassDEP's website at: <http://www.mass.gov/eea/agencies/massdep/>

**6. What is my ERP certification fee?**

There is **no** fee associated with the *ERP Boiler Compliance Certification*.

**7. Step by step instructions for filling out the Compliance Certification**

***Facility Information***

In this section, you will provide *the name and address of your business*, the individual MassDEP should *contact* if there are questions about your *Certification*, your *Federal Employer Identification number* (FEI) from your state and Federal income tax forms, a *Facility Identification Number* (Facility ID) that MassDEP has assigned to your facility, and a *Facility AQ Number* (SSEIS ID#) assigned to your facility for reporting air quality emissions.

***Facility Emissions Information***

This section is included as a reminder about the potential impact of the new boiler(s) on facility-wide emissions. It is important for you to know if the installation of the new ERP boiler(s) causes the emissions from your facility to exceed an existing emission cap or any regulatory threshold(s). The Boiler Workbook provides the guidance you need to assess the impacts of the new boiler(s).

***Boiler Information***

In this section you will provide specific information about the ERP boiler. Most of this information is available from the manufacturer. The *Boiler ID #* is the designation selected by you to identify the boiler.

***Compliance Information***

In this section, you will answer questions to provide MassDEP with some background information about your boiler(s) and information about following the environmental protection standards and requirements that apply to it. The workbook contains the information you will need to determine how to answer the questions. The form tells you where in the workbook you can find information about the environmental requirements referred to in each question. If you are NOT in compliance with the requirement on the date you certify, you must complete a *Return to Compliance Plan* and submit it with the *Compliance Certification*.

- Please note that it is your responsibility to keep your facility in compliance with environmental protection requirements at all times. You may be subject to enforcement action if you do not comply with the standards. You should be able to come into compliance with all of the standards by



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the time you complete the certification. Return to Compliance Plans are needed only when you were unable to correct those problems prior to certifying.

***Certification Statement***

The *Certification Statement* is a preprinted statement, which says that the person signing the form:

- has reviewed it,
- believes the information being submitted is true,
- will make sure that management systems are in place that will keep the facility in compliance with environmental protection requirements throughout the life of the equipment, and
- understands that there may be serious consequences for submitting false information to MassDEP.

Only the facility owner or certain other types of senior managers may legally sign the statement. The types of managers that are allowed to sign the statement are listed below the space for the signature. The person who signs the form must also print or type his or her name and title on the appropriate lines, date the form, and check the space next to the type of manager he or she is at the facility.

*NB:* you must hold one of the titles listed on the form to legally sign it.